

1761 CPA # 14
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01 FC:131	710.00 OP
02 FC:104	270.00 OP
03 FC:117	880.00 OP
10.00 CH	

Date: March 20, 2001

Docket No.: 2520-0109P

Appl. No.: 08/952,475

BOX CPA

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is a Request for filing a continued prosecution application under 37 C.F.R. § 1.53(d) of prior Application No. 08/952,475 entitled MEAT PRODUCTS WITH PLASMA-CHOLESTEROL-LEVEL SUPPRESSING PROPERTY

by the following named Inventor(s):

Fumiki MORIMATSU; Shinichiro KATSUDA; Mikako SATO;
Tatsuyoshi NAKAGAMI

☐ This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. §1.53(d)(4).

a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:

b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

The above-identified prior application, in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all of the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

1. ☐ Enter the Amendment previously filed May 17, 2000, under 37 C.F.R. § 1.116 but unentered, in the prior application.
2. ☒ A Preliminary Amendment is enclosed.
3. ☐ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
4. ☐ A new power of attorney or authorization of agent is enclosed.

The filing fee is calculated on the basis of the claims existing in the prior application as amended at 1 and 2 above.

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$710.00	\$355.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	13-20=	0	x 18 = \$0.00	x 9 = \$0.00
INDEPENDENT CLAIMS	1-3=	0	x 78 = \$0.00	x 39 = \$0.00
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$260.00	+ \$130.00
TOTAL			\$970.00	\$0.00

5. Small entity status:

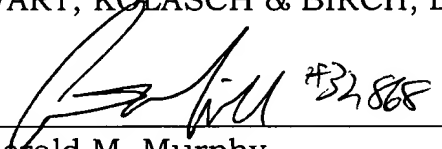
- ☐ A small entity statement is enclosed.
- ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- ☐ Is no longer claimed.
6. ☐ Priority of Application No(s). filed in on
is claimed under 35 U.S.C. § 119. See attached
copy of the Letter claiming priority filed in the prior
application on .

to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By: _____

 #32868
Gerald M. Murphy
Reg. No. 28,977


GMM/RG/clb

P. O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Enclosures: Marked Up Version of Claims Showing Amendments

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7. ☒ Priority of International Appl. PCT/JP96/01346 filed 21 May 1996 under the Patent Cooperation Treaty and patent Application No. 7-146814 filed in JAPAN on 21 May 1995 under 35 U.S.C. § 119 are hereby reclaimed.
8. ☒ Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
Telephone: (703) 205-8000

or
Customer No. 2292
9. ☒ The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). The fee has been calculated as shown below:
- ☒ NO extensions of time have been previously obtained in the prior application. Thus, a fee of \$890.00 is required for the full period of the above-requested extension of time.
- ☐ An extension of () month(s) was previously requested and paid for on in the prior application. Thus, a fee of \$0.00 is required to obtain an additional () month(s) in order to establish co-pendency with the present application.
10. ☒ A check in the amount of \$1,860.00 is enclosed.
11. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
12. ☐ The filing fee is NOT attached. Please issue a Notice requesting the filing fee.
13. ☐ Also enclosed herewith is the following:
- _____
- _____
- _____

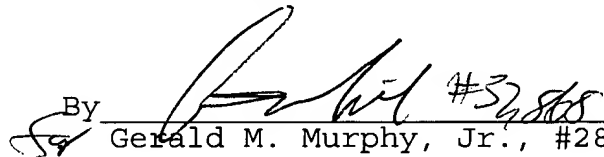
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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

It is understood that secrecy under 35 U.S.C. § 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 C.F.R. § 1.53(d) application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all of the other applications in the same file wrapper.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By  #32,868
Gerald M. Murphy, Jr., #28,977


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2520-0109P

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Attachments

(Rev. 04/19/2000)



PATENT
2520-0109P

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Fumiki MORIMATSU et al.

Application No.: 08/952,475 Group: 1761

Filed: March 9, 1998 Examiner: A. Corbin

For: MEAT PRODUCTS WITH PLASMA-CHOLESTEROL-LEVEL
SUPPRESSING PROPERTY

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

March 20, 2001

Sir:

Prior to the initial examination of this application, please amend the
above-identified application as follows:

IN THE CLAIMS

Please cancel claim 2 without prejudice or disclaimer of the subject
matter contained therein.

Please amend the claims to read as:

3. The meat product claimed in claim 11, wherein the vegetable oil
is at least one oil selected from the group consisting of soybean oil, rapeseed
oil, safflower oil, sesame oil, and rice-bran oil.